

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

12 NATHALIE THUY VAN,  
13 Plaintiff,  
14 v.  
15 LANGUAGE LINE, LLC,  
16 Defendant.

Case No. 14-CV-03791-LHK

**ORDER RE OBJECTIONS TO  
PLAINTIFF'S DEPOSITION AND  
DISCOVERY DESIGNATIONS**

Re: Dkt. No. 334

18 Defendant Language Line, LLC ("Defendant") has filed objections to Plaintiff Nathalie  
19 Thuy Van's ("Plaintiff") designation of depositions and discovery responses. ECF No. 334.  
20 Plaintiff has filed an opposition. ECF No. 340. After reviewing the parties' briefing, considering  
21 the record in the case, and balancing the considerations set forth in Federal Rule of Evidence 403,  
22 the Court rules on Defendant's objections as set forth below.

23 As a preliminary matter, Plaintiff argues that Defendant's objections to Plaintiff's  
24 deposition and discovery designations are in the form of a procedurally improper motion. Plaintiff  
25 submitted her deposition and discovery designations pursuant to this Court's standing order on  
26 jury trials. The Court's standing order also provides that "[a]ny objections to the use of designated  
27 excerpts . . . shall be filed and served at least 10 days prior to the commencement of trial."

1 Defendant filed objections on July 13, 2016—11 days prior to the scheduled start of trial. Thus,  
 2 Defendant's objections were properly filed in accordance with the Court's standing order.

3 Accordingly, the Court rules on Defendant's objections as follows:

4 **A. Nathalie Thuy Van**

5 <b>DEPOSITION DESIGNATION</b>	6 <b>COURT'S RULING ON OBJECTION</b>
All depo. testimony designated by Plaintiff	Sustained. Plaintiff's own deposition testimony is not admissible pursuant to Federal Rule of Civil Procedure 32. Plaintiff is not using her testimony to impeach herself, and Plaintiff is available to testify at trial. Accordingly, Plaintiff may not introduce her deposition at trial. The Court notes that Plaintiff may testify about matters that were discussed in her deposition. However, Plaintiff can not introduce her deposition.

10 **B. Michael Schmidt**

12 <b>DEPOSITION DESIGNATION</b>	13 <b>COURT'S RULING ON OBJECTION</b>
All depo. testimony designated by Plaintiff	Overruled as to 8:1-4; 8:7-9:4; 10:15-11:2; 11:4-5; 11:8-19; 12:11-23; 103:25-104:10; 104:14. Otherwise sustained.

16 **C. Kimberly Schnader**

17 <b>DEPOSITION DESIGNATION</b>	18 <b>COURT'S RULING ON OBJECTION</b>
All depo. testimony designated by Plaintiff	Overruled as to 6:5-9; 6:12-7:10:6; 10:14-24; 14:15-25; 25:13-15; 25:23; 25:25-26:6; 26:9-27:14; 27:17-29:11; 34:3-35:20; 43:16-24; 44:18-23. Otherwise sustained.

21 **D. Barbara Sadler**

23 <b>DEPOSITION DESIGNATION</b>	24 <b>COURT'S RULING ON OBJECTION</b>
All depo. testimony designated by Plaintiff	Overruled.

25 **E. Georgette Bloomer**

27 <b>DEPOSITION DESIGNATION</b>	28 <b>COURT'S RULING ON OBJECTION</b>
4:5-19; 15:20-16:2	Overruled.

1                   **F. Frank Perry**

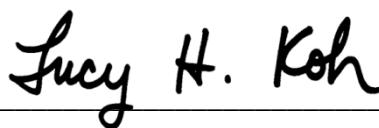
2 <b>DEPOSITION DESIGNATION</b>	3 <b>COURT'S RULING ON OBJECTION</b>
4                   All depo. testimony designated by Plaintiff	5                   Overruled as to 7:1-4; 7:7-14; 11:22-12:23; 118:4-6; 118:10-119:12; 121:6-8; 122:2-5; 122:15-18; 124:11-15; 124:17; 125:6-10; 125:13-126:11; 126:18-126:20; 126:25-127:8; 127:10-11; 127:13-128:13; 130:3; 130:5-8; 130:11-24; 131:2-3; 131:7-19; 132:4-17. 6                   Otherwise sustained.

7                   **G. Written Discovery**

8 <b>DEPOSITION DESIGNATION</b>	9 <b>COURT'S RULING ON OBJECTION</b>
10                  Responses to Plaintiff's Interrogatories, Set One	11                  Overruled as to Defendant's Responses to Interrogatories Nos. 1, 9, 11. 12                  Otherwise sustained.
13                  Supplemental Responses to Plaintiff's Interrogatories, Set One	14                  Overruled.
15                  Defendant's Responses to Plaintiff's Request for Production, Set One	16                  Sustained.
17                  Defendant's Responses to Plaintiff's Request for Production, Set Two	18                  Overruled.
19                  Defendant's Supplemental Responses to Plaintiff's Request for Production, Set One	20                  Sustained.
21                  Defendant's Responses to Plaintiff's Request for Production, Set Three	22                  Overruled.
23                  Defendant's Supplemental Responses to Plaintiff's Request for Production, Set Three	24                  Overruled.
25                  Plaintiff's Tenth Initial Disclosures and Computation of Damages	26                  Sustained.

27                   **IT IS SO ORDERED.**

28                  Dated: July 26, 2016

  
 LUCY H. KOH  
 United States District Judge